

REGISTER OF CLASSIFICATION DECISIONS

Date of entry in Register: 11 November 1998
 Name of applicant/court: Francis Fischer
 Applicant to the Labelling Body: Not Applicable
 Title of Publication: Du er ikke alene
 Other Known Titles: You Are Not Alone, Clay Farmers Pt 2, Preview -
 You Are Not Alone
 Director: Ernst Johansen, Lasse Nielsen
 Producer: Not Stated
 Publisher: Not Applicable
 Author: Not Applicable
 Format: Video Recording VHS/NTSC
 Country of Origin: Denmark, USA
 Language: Danish, English

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Components of film originally examined:

Feature:	Du er ikke alene	Running time:	89.38
Trailers:	Copyright/Awards Film (Notice)	Running time:	0.20
	Untitled		25.05
	You Are Not Alone (Trailer)		5.39
	The Best Way (Trailer)		0.33
		Total Running time:	121.15

Excision/Alteration: Yes.

Reason(s) for Excision:

One excision for reasons detailed in the Summary of Reasons for the Decision below.

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Approved components of film after excision:

Feature:	Du er ikke alene	Running time:	89.38
Trailers:	Nil	Running time:	
Total Amended Running time:			89.38

Classification Decision:

Objectionable except if the availability of the publication is restricted to persons who have attained the age of 13 years.

Display Conditions:

Not Applicable.

Descriptive Note:

Not Applicable.

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Direction to issue a label has been given on: Not Applicable.

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SUMMARY OF THE REASONS FOR DECISION:

Du er ikke alene deals with teenage sexuality. The Board found no evidence that it presents this subject matter in a way that tends to support the exploitation of young persons for sexual purposes within the meaning of s. 3(2). The adult characters in the film are never portrayed as showing any sexual interest in the teenage characters; to the contrary, they are shown as either unaware or scornful of the young men's attraction to each other. The film shows no sexual activity; it focuses instead on sexual affection. Indeed, it is directed and acted in a manner that is almost earnest in its desire not to depict sexual activity. Its primary message seems to be that adults should pay more attention to the concerns and development of young people, particularly in their teenage years. It also attempts to convey a message of tolerance and acceptance to teenagers who may be dealing with homosexuality in themselves or their friends. The Board consequently finds nothing in *Du er ikke alene* that falls within s. 3(2).

Turning to s. 3(3), the Board gave "particular weight" to the extent and degree to which, and the manner in which, this video recording describes, depicts or otherwise deals with "sexual conduct with or by children, or young persons, or both" in s. 3(3)(a)(iv). No sexual activity is shown, but it is reasonable to infer that Bo and Kim certainly would be

willing to explore this avenue with each other. Although the video recording therefore probably “otherwise deals with” sexual conduct among young persons, it is both off screen and inferred in a gentle and natural manner. The Board also gave particular weight to whether or not this video recording “exploits the nudity of children, young persons, or both” in s. 3(3)(b). The video recording contains fleeting scenes of nudity, but once again, they are depicted in a manner consistent with the storyline and in a gentle, non-exploitative manner. Thus, while aspects of the video recording are addressed by s. 3(3), they are presented in a manner which gave the Board no cause for concern.

With respect to s. 3(4), and as stated above, the Board finds that the dominant effect of *Du er ikke alene* is an earnest portrayal of emerging teenage sexuality. The Board had a slight concern that the video recording could be useful to paedophiles as an aid to entrapment, but as there is no depiction of any adult engaged in sexual activity, or even interested in such activity with young persons, this concern became negligible.

The Board was of the view that *Du er ikke alene* would not be likely to injure the public good if it were classified as restricted to persons 13 years of age and over. This is the audience the film targets, and the subject matter of the film would not be appropriate for anyone not yet in or approaching puberty. The Board was also of the view that *Du er ikke alene* could assist some teenagers in coming to grips with their, and their friends’ sexuality.

The segment of the video recording following *Du er ikke alene* could be interpreted in several ways, one of which is that the film tends to support a young man being exploited for sexual purposes. It therefore falls within s. 3(2). The Board would have classified the entire video recording as “objectionable” if the segment following *Du er ikke alene* were not excised. The applicant has agreed with the requested excision, and the Board consequently gives the excised version of the video recording a classification of R13.

OFLC Ref: 9801230